

NORTH SMITHFIELD  
CHARTER REVIEW COMMISSION

MINUTES

MEETING #3 FEBRUARY 15, 2010

KENDALL-DEAN

83 GREENE STREET

NORTH SMITHFIELD, RI

MEETING CALLED TO ORDER BY CHAIRPERSON JASON TINER AT 6:15 P.M.

ROLL CALL:	JASON TINER, CHAIRPERSON	-	PRESENT
	KENNETH MURPHY, V. CHAIR	-	ABSENT
	JOHN WOJCIK, REC. SECRETARY	-	PRESENT
	MICHAEL CLIFFORD	-	PRESENT
	FRANCESCA JOHANNIS	-	PRESENT
	ALFRED PUCCETTI	-	PRESENT
	LINDA THIBAUT	-	PRESENT

APPROVAL OF MINUTES FROM JANUARY 21, 2010, MEETING: UNANIMOUS

J.TINER BEGAN BY REFERRING TO CHARTER ARTICLE III FINANCIAL PROVISIONS OF THE TOWN. COMMISSION AGREED TO GENDER NEUTRAL WORDING THROUGHOUT THE CHARTER AND NUMBERS IN SENTENCES TO BE SPELLED OUT AND ALSO NOTED IN PARENTHESES.

SECTION 1. FISCAL YEAR

Members agreed no change.

SECTION 2. SUBMISSION OF ESTIMATES

Discussion centered on dates. Motion by F.Johannis to postpone making changes until Article VIII. Seconded by L. Thibault. Motion passed. M.Clifford voted nay.

SECTION 3. BUDGET COMMITTEE

Discussion on reorganizing budget committee to make it more effective, more involved, and extend its time. Motion by F. Johannis to do away with budget committee as it stands now in the charter. Seconded by L. Thibault. Motion failed. J.Tiner, A.Puccetti, M.Clifford, and J.Wojcik voted nay. Changes to this section postponed until Article VIII.

SECTION 4. BUDGET PROCESS AND FORMAT

Members agreed no change.

#### SECTION 5. SUBMISSION OF BUDGET TO THE COUNCIL

Members agreed no change.

#### SECTION 6. CAPITAL BUDGET CONSIDERATION

Members agreed no change. Discussion to submit requests to planner rather than planning board. Involve planner to summarize each department and then bring requests to planning board. Discussion also on what constitutes capital expenses versus repair or maintenance. Discussion also on submission dates.

#### SECTION 7. HEARING

Members agreed no change. Motion by F.Johannis to add phrase, "in accordance with state law." Seconded by L.Thibault. Discussion centered on references to state law in Charter Preamble and Article I. Motion failed. F.Johannis voted yea.

#### SECTION 8. FINAL COUNCIL CONSIDERATION

Members agreed no change.

#### SECTION 9. PARTICIPATION BY THE ELECTORATE

Members agreed no change.

#### SECTION 10. SPECIAL TOWN MEETING

Members agreed no change. Discussion focused on why 400 qualified voters must attend meeting. Is the number arbitrary or state law? It was noted that 500 voters had to sign the petition.

#### SECTION 11. BOND ISSUES

Members agreed no change.

### ARTICLE IV TOWN COUNCIL

#### SECTION 1. NUMBER, SELECTION, TERMS

Members agreed no change. Discussion focused on continuity, extending terms, voter preferences. It was noted that the previous charter commission had recommended extended terms. It was also noted that the extended term idea was put on the ballot in 2001 and the voters rejected it.

#### SECTION 2. QUALIFICATIONS

Members agreed no change. Discussion focused on qualifications and quality of candidates.

### SECTION 3. VACANCIES

Members agreed no change. Discussion focused on the word "may" in the first sentence.

### SECTION 4. PRESIDING OFFICER

Members agreed no change.

### SECTION 5. COMPENSATION

Recommended change to delete wording, "... and shall be approved by the electors at the annual financial town meeting ..."

### SECTION 6. QUORUM

Recommended change to delete all but, "Three (3) members of the town council shall constitute a quorum for the transaction of business."

### SECTION 7. MEETINGS

Members agreed no change.

### SECTION 8. POWERS

Members agreed no change except to subsection #13. Wording "... submitted by the budget committee" was questioned. Motion by J.Tiner to hold decision on subsection #13 in Article IV until discussion of Article VIII. Seconded by F.Johannis. Motion passed. M.Clifford voted nay.

### SECTION 9. PROCEDURES

Members agreed no change. Discussion centered on why previous review commission wanted to move this section to Article I Basic Provisions. It was decided that this section was too detailed to be under basic provisions. Discussion also focused on town administrator vetoing an ordinance and the town council overriding the veto. Should a town council "super majority" be necessary (i.e. four to one vote, not three to two)?

### SECTION 10. AUDITS

Recommended change of wording from "...audit to be made within four months after the close of the fiscal year..." to "...audit to be made within three months after close of fiscal year..." Motion made by A.Puccetti to change wording to three months. Seconded by J.Tiner. Motion passed. Vote was unanimous.

SECTION 11. PROBATE COURT  
Members agreed no change.

ARTICLE V TOWN ADMINISTRATOR

SECTION 1. ELECTION AND TERM

Discussion began concerning town administrator versus town manager. Motion by F.Johannis to change from a town administrator to a town manager. Seconded by M.Clifford. After much discussion F.Johannis withdrew her motion. The committee agreed to obtain a copy of the Burrillville Town Charter, especially the section that dealt with town manager. Members agreed to table any action on Article V until they read the Burrillville Town Charter.

SECTION 2. QUALIFICATIONS  
TABLED

SECTION 3. COMPENSATION  
TABLED

SECTION 4. ABSENCE OR DISABILITY  
TABLED

SECTION 5. VACANCY  
TABLED

SECTION 6. POWERS AND DUTIES  
TABLED

ARTICLE VI TOWN SOLICITOR

SECTION 1. APPOINTMENT

Discussion focused on who should appoint solicitor. Motion made by L.Thibault and withdrawn before second to hold on any decision until committee decides on whether it will recommend a town administrator or a town manager. M.Clifford asked if a copy of the revisions from the mid 1980's could be obtained, especially the section on town solicitor. J.Tiner will ask D.Todd if a copy exists. After continued discussion committee agreed to withhold any action on Article VI until other documents (1980's revision and Burrillville Town Charter) are obtained.

SECTION 2. QUALIFICATIONS  
TABLED

SECTION 3. COMPENSATION  
TABLED

SECTION 4. DUTIES  
TABLED

SECTION 5. SPECIAL POWERS  
TABLED

ARTICLE VI ½ SCHOOL DEPARTMENT SOLICITOR

SECTION 1. APPOINTMENT  
Members agreed no change.

SECTION 2. QUALIFICATIONS  
Members agreed no change.

SECTION 3. COMPENSATION  
Members agreed no change.

SECTION 4. DUTIES  
Members agreed no change.

SECTION 5. SPECIAL POWERS  
Members agreed no change.

J.Tiner stopped discussion and stated that the committee should prepare for the next meeting on Thursday, February 18, 2010. Members should be ready to begin discussion of Articles V and VI. He said time was an issue and we may have to call additional meetings. F.Johannis would check to see if Kendall-Dean was available for Thursday. J.Tiner would post an agenda with the state and inform committee members of the meeting's location if it had to be changed.

Motion to adjourn by J.Wojcik. Seconded by L.Thibault. J.Tiner adjourned the meeting at 9:00 P.M.

Minutes submitted by J.Wojcik, recording secretary.